



22645

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that: My residence, post-office address, and citizenship are as stated below next to my name,

I believe that I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**VARIABLE VOLUME BEVERAGE CONTAINER**

the specification of which was filed **18 September 2003** as application **10/665,375**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Applications**

Country	Number	Filing Date	Priority claimed
BR	PI9900396	5 February 1999	No
BR	001790-SP	24 April 2003	No

I hereby appoint as attorneys to prosecute this application and to transact all business connected therewith:

**Herbert Dubno, Reg. 19,752; Andrew Wilford, Reg. 26,597; Jonathan Myers, Reg. 26,963** and each of them individually.

Address all correspondence to:

**The Firm of Karl F. Ross, P.C.**  
**Customer Number 535**  
**5676 Riverdale Avenue, Box 900**  
**Bronx, NY 10471-0900**

Direct all telephone calls to: (718) 884-6600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor:

**Masaharu TAMASHIRO**

Inventor's signature

Date: 30.12.2003

Residence: Sao Paulo - SP, Brazil

Citizen of Brazil

Post-office Address: Rua Dionisio Pedrellini/180, 05542-130 Sao Paulo - SP, Brazil

22645



IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor                      Masaharu TAMASHIRO  
Patent App.                10/665,375  
Filed                        18 September 2003  
For                         VARIABLE VOLUME BEVERAGE CONTAINER  
Art Unit                    Not known  
Hon. Commissioner of Patents  
Box 1450  
Alexandria, VA 22313-1450

**STATEMENT AS TO REPRESENTATION**

With respect to the above-identified application, the undersigned hereby authorizes the United States Attorneys and Agents named in the Declaration accompanying the application or in any Declaration subsequently filed in the application to expect and follow instructions from:

ACEVEDO IBANEZ ASSOCIADOS LTDA  
Rua Dr. Antonio Bento 231 - CJTO.23  
Santo-Amaro  
Sao-Paulo, SP  
CEP: 04750-000  
Brazil

for any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the above-mentioned United States Attorneys or Agents and the undersigned. In the event of change in the person or persons from whom instructions may be taken, the above-mentioned United States Attorneys or Agents named in such Declaration will be so notified by the undersigned.

Date: 30.12.2003

Signed: \_\_\_\_\_

Masaharu TAMASHIRO